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as Servicer for U.S. Bank National Association, not in its  
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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

IN RE:

Robert J. Powell  
Jessica K. Powell

Debtors

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:  
: CASE NO.: 17-35341-ABA  
:  
: CHAPTER: 13  
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: HON. JUDGE.:  
: Andrew B. Altenburg Jr.  
:  
: HEARING DATE:  
: April 25, 2023 at 10:00 am  
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:  
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**LIMITED OPPOSITION TO DEBTORS' MOTION TO SELL REAL PROPERTY**

Jason Schwartz, an attorney admitted to practice before the United States Bankruptcy Court for the District of New Jersey, hereby affirms the following to be true under the penalty of perjury:

1. Rushmore Loan Management Services, LLC as Servicer for U.S. Bank National Association, not in its individual capacity but solely as trustee for RMTP Trust, Series 2021 BKM-TT (hereinafter "Secured Creditor"), by and through its attorneys, Friedman Vartolo LLP, submits this affirmation in response to the motion of Robert J. Powell and Jessica K. Powell (hereinafter "Debtors"), dated March 28, 2023, seeking to sell the real property located at 3605-A Saxony Drive, Mt Laurel, NJ 08054 (hereinafter "Property").

2. The Debtors filed a Chapter 13 Bankruptcy Petition on December 18, 2017.
3. The Secured Creditor is a lien holder of the Debtors. This debt is evidenced by a Proof of Claim, filed on the Court's Claim Register as claim number 4-1 (hereinafter "Proof of Claim") which detailed a total debt at the time of filing in the amount of \$297,575.33 in regard to Debtor's residence.
4. The Debtors' Motion now seeks court approval to sell the 3605-A Saxony Drive, Mt Laurel, NJ 08054 property for the sum of \$175,000.00.
5. Secured Creditor does not object to the sale of the Property, however Secured Creditor submits this limited response seeking assurance that any Order granting the Motion includes a provision which states clearly how the proceeds will be handled. The order currently says all proceeds are going to the trustee. The debtor has offered to resolve an outstanding certification of default on the property located at 25 Firethorn Lane, Delran Twp, NJ 08075 with proceeds from the sale. The offer to resolve conflicts with the proposed order. Secured Creditor is seeking clarification on the debtor's intentions.

**WHEREFORE**, Secured Creditor respectfully requests that the Debtors' Motion be granted to the extent outlined above and for all other and further relief as is just and proper.

Dated: Garden City, NY  
April 17, 2023

By: /s/ Jason Schwartz  
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